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Attorneys for Plaintiff Patrick Cariou

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
PATRICK CARIOU,

Plaintiff,

-against-

RICHARD PRINCE, GAGOSIAN GALLERY,
INC., LAWRENCE GAGOSIAN and
RIZZOLI INTERNATIONAL
PUBLICATIONS, INC.,

Defendants.
-----X

347TS/J

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>2/5/10</u>
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**STIPULATION AND
ORDER OF DISMISSAL**

08 CIV 11327 (DAB)

WHEREAS Plaintiff Patrick Cariou filed a Complaint on December 30, 2008 and an Amended Complaint on January 14, 2009 against defendants Richard Prince, Gagosian Gallery, Inc., Lawrence Gagosian and Rizzoli International Publications, Inc.; and

WHEREAS Defendant Rizzoli International Publications, Inc. filed its Answer to the Amended Complaint, asserting no counterclaims against plaintiff but asserting crossclaims against defendants Richard Prince, Gagosian Gallery, Inc. and Lawrence Gagosian, on March 17, 2009;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND ORDERED, whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, upon the stipulation and

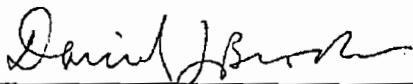
agreement between the undersigned attorneys of record for Plaintiff Patrick Cariou and the undersigned attorneys of record for Defendant Rizzoli International Publications, Inc., pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, that all claims by Plaintiff Patrick Cariou against Rizzoli International Publications, Inc. are dismissed with prejudice, and without costs to any party as against the other.

This Stipulation and Order of Dismissal may be executed in counterparts, each of which, when so executed and delivered, shall be an original, but such counterparts shall together constitute one and the same instrument and agreement.

Dated: New York, New York
January 27, 2010

Dated: New York, New York
January 29, 2010

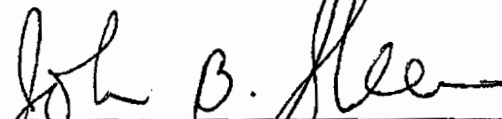
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*Attorneys for Defendant
Rizzoli International Publications, Inc.*

SO ORDERED:



Deborah A. Batts, U.S.D.J. 2/5/10

Dated: ~~January~~ 29, 2010